

Nicholas Fitzgerald, Esq. NF/6129  
Fitzgerald & Associates, P.C.  
649 Newark Avenue  
Jersey City, NJ 07306  
Counsel for Debtor  
Email: nickfitz.law@gmail.com  
(201) 533-1100

Attorney for Debtor -- I.D. # NF/6129

United States Bankruptcy Court  
District of New Jersey -- Newark  
-----X

In re:  
Sean Lewis

**Chapter 13**

Case # 22-16619-VFP

Debtor

Return Date: 10/6/22  
Time: 10:00 a.m.

-----X

**DEBTOR'S COUNSEL'S CERTIFICATION IN FURTHER SUPPORT OF MOTION FOR  
BANKRUPTCY COURT APPROVAL OF THE SALE OF REAL PROPERTY LOCATED AT  
160 VIRGINIA AVENUE, APARTMENT 7 A JERSEY CITY, NJ 07304-1419**

Nicholas Fitzgerald, being of full age and being the above  
named debtor's counsel, certify under penalty of perjury that:

1. I make this supplemental certification in further support  
of the debtor's motion for Bankruptcy Court approval of the sale of  
the debtor's real property located at 160 Virginia Avenue,  
Apartment 7 A, Jersey City, NJ 07304-1419.

2. The proposed sale price of this property is \$110,000.

3. The debtor's property is encumbered by two mortgages.

4. The debtor's sale motion provides that **all** of the net

proceeds from the sale are to be sent to the Chapter 13 trustee.

5. There has been an objection to the sale filed counsel for the second mortgagee requesting a payoff amount owed on the first mortgage with the insinuation that there might not be enough equity in the property to pay off the two mortgages encumbering the property.

6. Annexed hereto as Exhibit A is statement dated August 15, 2022 showing the payoff amount on the first mortgage held or serviced by Select Portfolio Servicing to be \$59,413.08.

7. Annexed hereto as Exhibit B is statement dated November 10, 2021 showing the payoff amount owed on the second mortgage held by Real Time Resolution to be \$14,633.47.

8. Although the numbers detailed above are not exact numbers based upon the information contained in Exhibits A and B, it appears to be almost certain that there is enough equity in the property to pay off both mortgages with a surplus to be sent to the trustee. The exact payoff amounts will be determined just prior to closing.

9. I have no objection to the Bankruptcy Court approving a sale order which provides that the sale is contingent upon the full amount owed on both mortgages being paid off at closing.

10. In what I consider to be the highly unlikely event that there is not enough equity in the property to pay off both

mortgages, the sale should be cancelled.

I certify that the foregoing statements made by me are true.  
I am aware that if any of the foregoing statements made by me are  
willfully false, I am subject to punishment.

Dated: October 3, 2022

  
\_\_\_\_\_  
Nicholas Fitzgerald  
Debtors' Counsel

**Exhibit A** -- Copy of Select Portfolio Billing Statement



Customer Service : (800) 258-8602  
Monday - Friday 8:00AM - 9:00PM ET  
Saturday 8:00AM - 2:00PM ET

For other important information, see reverse side

Sean Lewis  
160 Virginia Ave  
Jersey City, NJ 07304-1419

30355



## Account Number

Property Address

111 MALLORY AVENUE UNIT 7  
JERSEY CITY NJ 07305

Loan Due Date

09/01/2022

Payment Due Date

09/01/2022

Amount Due

\$474.68

If payment is received after 09/16/2022, \$13.08 late fee will be charged.

## Account Information

Interest Bearing Principal	\$59,413.08
Deferred Principal	\$0.00
Outstanding Principal <sup>1</sup>	\$59,413.08
Unpaid Late Charges	\$3.09
Other Charges and Fees	\$0.00
Interest Rate (Until Sep. 2036)	4.000%
Prepayment Penalty	No

## Explanation of Amount Due

Principal	\$135.35
Interest	\$198.04
Escrow (Taxes and Insurance)	\$141.29
<b>Regular Monthly Payment</b>	<b>\$474.68</b>
Charges / Fees this Period	\$0.00
Past Due Payment(s)	\$0.00
Unapplied Payment(s)	\$0.00
<b>Total Amount Due</b>	<b>\$474.68</b>

## Transaction Activity (07/16/2022 to 08/15/2022)

Date	Description	Principal Balance	Interest	Taxes & Insurance	Late Charges	Unapplied Balance	Other Fees	Expenses Pd by Servicer	Total <sup>1</sup>
07/16	BEG BALANCE	\$61,702.07	\$3,280.81	\$643.80	\$91.56	(\$541.41)	\$0.00	\$250.00	\$65,426.83
07/20	CITY TAX	0.00	0.00	575.57	0.00	0.00	0.00	0.00	575.57
08/02	BORROWER FUNDS	0.00	0.00	0.00	0.00	0.00	0.00	(250.00)	(250.00)
08/02	PAYMENT	0.00	0.00	0.00	0.00	88.47	0.00	0.00	88.47
08/02	PAYMENT	0.00	0.00	0.00	(88.47)	0.00	0.00	0.00	(88.47)
08/02	PAYMENT	(146.52)	(154.26)	(138.20)	0.00	452.94	0.00	0.00	13.98
08/02	PAYMENT	(146.89)	(153.89)	(138.20)	0.00	0.00	0.00	0.00	(438.98)

Continued On Next Page

## Past Payments Breakdown

	Paid Last Month	Paid Year To Date
Principal	\$2,288.99	\$2,288.99
Interest	\$3,280.81	\$3,280.81
Escrow (Taxes and Insurance)	\$2,431.46	\$2,503.39
Fees and Other Charges	\$338.47	\$338.47
Partial Payment (Unapplied)	\$-541.41	
<b>Total</b>	<b>\$7,798.32</b>	<b>\$8,411.66</b>
Total Unapplied Balance	\$0.00	

## Important Messages

All communication sent to you by SPS is always available on our website: [www.spservicing.com](http://www.spservicing.com). For faster access to written communication and documents, please log in to your customer account on our website to view.

<sup>1</sup> This amount is not a payoff quote. If you would like a payoff quote, please see instructions on reverse side.

Any transactions that occurred after the statement date noted above will be reflected on your next statement.

This is an attempt to collect a debt. All information obtained will be used for that purpose.

Under the Servicemembers Civil Relief Act if you or a family member has been deployed to active duty, you may be eligible for certain protections regarding your mortgage loan. Please contact us at (800) 258-8602 to discuss these protections.

YTD Interest Paid amount will include capitalized interest in the event your loan was modified in the current year.

**Important Mailing Addresses (Please include your account number on all correspondence)**

<b>Regular Payments</b>  Select Portfolio Servicing, Inc. Attn: Remittance Processing P.O. Box 65450 Salt Lake City, UT 84165	<b>Overnight/Express Payments</b>  Select Portfolio Servicing, Inc. Attn: Cashiering Dept. 3217 S. Decker Lake Dr. Salt Lake City, UT 84119	<b>Notice of Error or Information Request or Qualified Written Request</b> Select Portfolio Servicing, Inc. P.O. Box 65277 Salt Lake City, UT 84165 Fax: (801) 270-7856	<b>General Correspondence</b>  Select Portfolio Servicing, Inc. P.O. Box 65250 Salt Lake City, UT 84165	<b>Check by Phone</b>  (800) 258-8602 Option 1	<b>Bankruptcy Correspondence &amp; Notices must be sent to:</b> Select Portfolio Servicing, Inc. Attn: Bankruptcy Dept. P.O. Box 65250 Salt Lake City, UT 84165
--	--	---	---	---	---

**PAYMENT INSTRUCTIONS** Paying your mortgage on time is an important obligation, so please pay on or before the payment due date. Payments are not considered paid until received and posted to your account. Please include the late charge in any payment made after the late payment due date noted on your statement. Postal delays do not result in a waiver of late charges, so please allow adequate time for mail service. If you don't pay on or before 3 p.m. MT on the payment due date, your loan will be considered delinquent. (NOTE: If you are currently sending all or part of your payment to the bankruptcy trustee, please disregard the Select Portfolio Servicing, Inc. payment address for that portion you are sending to the trustee.) We do not accept payments in cash.

**APPLICATION OF PAYMENTS** If you are current in making your payments, we will apply payments according to your Note. If you are delinquent, we apply payments to the oldest outstanding payments that are due under your Note.

**LOAN REPRESENTATIVES** If you would like to speak to someone about making a payment or payment arrangements, please call one of our loan representatives at (800) 258-8602 (Monday - Friday, 8 a.m. - 9 p.m. ET; Saturday, 8 a.m. - 2 p.m. ET).

**AUTOMATED CONVERSION OF YOUR CHECKS TO ACH DEBIT ENTRIES AND RETURNED CHECKS OR DEBITS** When you provide us a check, you authorize us to use the information from your check to make a one time Electronic Funds Transfer from your bank account. When we use your check to make an Electronic Funds Transfer, funds may be withdrawn from your account quickly, as soon as the day we receive your check. You will not receive your check back from your financial institution. If there are insufficient funds in your account we will reverse the amount of any such returned payment that we had credited to your mortgage. You authorize us to charge you a fee of up to twenty-five dollars (\$25.00) as allowable by state law.

**CREDIT REPORTING** SPS furnishes information to consumer reporting agencies. You are hereby notified that a negative credit report reflecting on your credit record may be submitted to a credit reporting agency if you fail to fulfill the terms of your Note and Mortgage. If you believe such information is inaccurate, you may call Customer Service at (800) 258-8602, submit a written Notice of Error to the P.O. Box listed above, or submit a dispute with the consumer reporting agency.

**NOTICE OF ERROR OR INFORMATION REQUEST OR QUALIFIED WRITTEN REQUEST** If you believe there has been an error with the account or you require additional information, you may send a written Notice of Error or Information Request. All Notices of Error or Information Requests must be sent to the address listed above in the important mailing addresses section, as this is our exclusive address under Federal Law for these matters. If you send your correspondence to any other address, it may not be processed in accordance with Federal Law.

**HOUSING COUNSELOR INFORMATION** If you would like counseling or assistance, you can contact the following: U.S. Department of Housing and Urban Development (HUD): For a list of homeownership counselors or counseling organizations in your area, go to <http://www.hud.gov/offices/hsg/sfh/hcc/hcs.cfm> or call 800-569-4287.

**SPECIAL REQUEST AND ADDITIONAL FEES**

Check by Phone or Website (EZPay)	Up to \$15.00
Returned Check Fee	Up to \$25.00
Express Mail Fee	Actual Charge Incurred

This fee schedule does not contain all fees that may be charged for services rendered. The actual fee charged to a particular customer may be different based upon certain requirements under state law, agency guidelines (e.g., FHA, VA) or other relevant criteria.

**LOAN PAYOFFS** Payoff information may be requested verbally by calling the Customer Service toll free number printed on this statement, by faxing your requests to (801) 269-4269 or by mailing your request to: P.O. Box 65250, Salt Lake City, UT 84165-0250. If you do not receive your payoff quote within 5 business days of placing your request, please call our Customer Service Department.

**HOME OWNER INSURANCE** You are required to maintain Homeowners Insurance (and if required, Flood Insurance), at all times during the term of your Mortgage and provide or ask your insurance agent each year to provide us copies of all renewal policies and invoices to the address shown below at least (30) days before the date your existing policy expires. It is important for you to remember that if we do not receive a copy of your renewal or replacement policy, SPS may obtain coverage to protect its interest in the property. The coverage provided for this insurance may be different and more expensive than your expired coverage. We will only do this after we have notified you of your failure to maintain coverage. It is possible we may obtain certain benefits from this insurance placement coverage.

All insurance information (including your account number) should be mailed or faxed to:  
Insurance Service Center: PO Box 7277, Springfield, OH 45501 Fax (866) 801-8177.

**REAL ESTATE TAX** If you have established an escrow account with us for taxes, you should keep copies of any tax bills you receive for your personal records. We have engaged a Tax Service to receive your tax bills, and we will pay taxes out of your escrow account to the extent there are sufficient balances in your escrow account. If you receive any special assessment bills, you should send them to our Tax Service Center address shown below. Special bills include:

- An area defined as a "Homeowner Area" where your local tax office will not send us the tax bill
- Any special assessments on your property in addition to your regular Real-Estate tax bills
- Any adjustments to your tax bills

Tax Service Center: PO Box 3541, Covina, CA 91722

**SPS CONSUMER OMBUDSMAN SERVICES** If you have an unresolved issue with SPS, and you have exhausted other customer service options, please contact our Consumer Ombudsman Department at (866) 662-0035 or through other methods found on [www.spservicing.com](http://www.spservicing.com).

**COMMON ABBREVIATIONS**

INT	Interest
FC or F/C	Foreclosure
BK	Bankruptcy
BPO	Broker Price Opinion
MISC DISB	Disbursement from escrow account for other than escrow item (E.g.: Analysis Refund, Payoff Refund)

This common abbreviations table does not contain all abbreviations that may appear in the "Activity this Period" section. For more information please refer to the Fee Schedule and Description document located at [www.spservicing.com](http://www.spservicing.com).



SELECT  
Portfolio  
SERVICING, inc.

P.O. Box 65250  
Salt Lake City, UT 84165-0250  
[www.spservicing.com](http://www.spservicing.com)

Customer Service : (800) 258-8602  
Monday - Friday 8:00AM - 9:00PM ET  
Saturday 8:00AM - 2:00PM ET

Account Number

## Transaction Activity continued from Page 1 (07/16/2022 to 08/15/2022)

Date	Description	Principal Balance	Interest	Taxes & Insurance	Late Charges	Unapplied Balance	Other Fees	Expenses Pd by Servicer	Total
08/02	PAYMENT	(147.26)	(153.52)	(138.20)	0.00	0.00	0.00	0.00	(438.98)
08/02	PAYMENT	(129.19)	(204.20)	(145.17)	0.00	0.00	0.00	0.00	(478.56)
08/02	PAYMENT	(129.62)	(203.77)	(145.17)	0.00	0.00	0.00	0.00	(478.56)
08/02	PAYMENT	(130.05)	(203.34)	(145.17)	0.00	0.00	0.00	0.00	(478.56)
08/02	PAYMENT	(130.48)	(202.91)	(145.17)	0.00	0.00	0.00	0.00	(478.56)
08/02	PAYMENT	(130.92)	(202.47)	(145.17)	0.00	0.00	0.00	0.00	(478.56)
08/02	PAYMENT	(131.35)	(202.04)	(145.17)	0.00	0.00	0.00	0.00	(478.56)
08/02	PAYMENT	(131.79)	(201.60)	(145.17)	0.00	0.00	0.00	0.00	(478.56)
08/02	PAYMENT	(132.23)	(201.16)	(145.17)	0.00	0.00	0.00	0.00	(478.56)
08/02	PAYMENT	(132.67)	(200.72)	(145.17)	0.00	0.00	0.00	0.00	(478.56)
08/02	PAYMENT	(133.11)	(200.28)	(145.17)	0.00	0.00	0.00	0.00	(478.56)
08/02	PAYMENT	(133.56)	(199.83)	(141.29)	0.00	0.00	0.00	0.00	(474.68)
08/02	PAYMENT	(134.00)	(199.39)	(141.29)	0.00	0.00	0.00	0.00	(474.68)
08/02	PAYMENT	(134.45)	(198.94)	(141.29)	0.00	0.00	0.00	0.00	(474.68)
08/02	PAYMENT	(134.90)	(198.49)	(141.29)	0.00	0.00	0.00	0.00	(474.68)
08/15	ENDING BALANCE	\$59,413.08	\$0.00	(\$1,212.09)	\$3.09	\$0.00	\$0.00	\$0.00	\$58,204.08

**Exhibit B** -- Copy of Real Time Resolutions Billing Statement





RTR File Number:  
Account Number Ending in: .....  
**Total Amount Due: \$14,633.47**

The Payment Amount reflects your post-petition payment and does not include any pre-petition arrears being paid through the bankruptcy plan. If your bankruptcy plan requires you to send your regular monthly mortgage payments to the Trustee, do not send your payment to us. Instead, you should send your payment to the Trustee.

Our records show that you are a debtor in bankruptcy. We are sending this statement to you for informational and compliance purposes only. It is not an attempt to collect a debt against you. If your bankruptcy plan requires you to send your regular monthly mortgage payments to the Trustee, you should pay the Trustee instead of us. Please contact your attorney or the Trustee if you have questions. If you want to stop receiving statements, write to us.

### Review Your Account Activity

#### Account Information

Regarding Property 111 MALLORY AVE UNIT 7 JERSEY CITY, NJ 07305  
Outstanding Principal \$14,080.69  
Escrow Balance \$0.00  
Interest Rate through 12/01/2021 0.02500%  
Deferred Amount(s) \$0.00  
Prepayment Penalty No

This statement may not show recent payments you sent to the Trustee that the Trustee has not yet forwarded to us. Please contact your attorney or the Trustee if you have questions.

Your Payment Breakdown	Paid Last Month	Paid Year to Date
Principal	\$0.00	\$0.00
Interest	\$0.00	\$0.00
Escrow (Taxes and Insurance)	\$0.00	\$0.00
Fees	\$0.00	\$0.00
Partial Payment (Unapplied)*	\$0.00	\$0.00

**Total Amount Due \$14,633.47**

	Suspense Applied	Suspense Balance
Suspense Account Balance*	\$0.00	\$0.00

RealTimeResolution.com

13,782.<sup>00</sup>

Please see next page for more information on Partial Payments, Suspense Account Balance, and Suspense Applied.

**PLEASE SEE THE BACK OF THIS PAGE FOR MORE INFORMATION CONCERNING YOUR RIGHTS.**

Real Time Resolutions, Inc. is a debt collector, although this is not an attempt to collect a debt from you. This document is provided for compliance and informational purposes only.

1349 Empire Central Dr. Suite 150 Dallas TX 75247-4029  
Toll Free Customer Service 1-888-741-1124  
Corporate Office Hours: Monday - Friday 8:30AM - 5:30PM Central | www.payrtr.com

1 of 2



Real Time Resolutions, Inc.  
P.O. BOX 36655  
Dallas, TX 75235-1655  
ELECTRONIC SERVICE REQUESTED

RTR File Number:  
Total Amount Due: \$14,633.47  
Phone: 1-888-741-1124

Please send payments to:

Real Time Resolutions, Inc.  
PO BOX 840923  
DALLAS, TX 75284-0923



110639 - 86

SEAN LEWIS  
160 VIRGINIA AVE  
JERSEY CITY NJ 07304-1419



4000 1000



**CALIFORNIA RESIDENTS:** The state Rosenthal Fair Debt Collection Practices Act and the federal Fair Debt Collection Practices Act requires that, except under unusual circumstances, collectors may not contact you before 8 a.m. or after 9 p.m. They may not harass you by using threats of violence or arrest or by using obscene language. Collectors may not use false or misleading statements or call you at work if they know or have reason to know that you may not receive personal calls at work. For the most part, collectors may not tell another person, other than your attorney or spouse, about your debt. Collectors may contact another person to confirm your location or enforce a judgment. For more information about debt collection activities, you may contact the Federal Trade Commission at 1-877-FTC-HELP or [www.ftc.gov](http://www.ftc.gov).

**COLORADO RESIDENTS:** A consumer has the right to request in writing that a debt collector or collection agency cease further communication with the consumer. A written request to cease communication will not prohibit the debt collector or collection agency from taking any other action authorized by law to collect the debt. Real Time Resolutions, Inc. Colorado office location: 8690 Wolff Court, Suite 110, Westminster, CO 80031; Phone (303)920-4763. FOR INFORMATION ABOUT THE COLORADO FAIR DEBT COLLECTION PRACTICES ACT, SEE: [WWW.COAG.GOV/CAR](http://WWW.COAG.GOV/CAR)

**MAINE RESIDENTS:** Corporate Hours of Operation: Monday - Friday 8:30 a.m. - 5:30 p.m. Central. Our toll free telephone number is 1-888-741-1124

**MASSACHUSETTS RESIDENTS:** You have the right to make a written or oral request that telephone calls regarding your debt not be made to you at your place of employment. Any such oral request will be valid for only ten (10) days unless you provide written confirmation of the request postmarked or delivered within seven (7) days of such request. You may terminate this request by writing to the debt collector.

**MINNESOTA RESIDENTS:** This collection agency is licensed by the Minnesota Department of Commerce.

**NORTH CAROLINA RESIDENTS:** North Carolina Department of Insurance, permit number 3545. North Carolina Commissioner of Banks, license number S-146288. You may file a complaint by contacting the NCCOB at: 316 W. Edenton St., Raleigh, NC 27603, (919) 733-3016, or by visiting <http://www.nccob.org>.

**TENNESSEE RESIDENTS:** This collection agency is licensed by the Collection Service Board of the Department of Commerce and Insurance. State Department of Commerce and Insurance, 500 James Robertson Parkway, Nashville, TN 37243

**WASHINGTON RESIDENTS:**  
Account Information as of: 11/10/2021  
Principal Balance: \$14,080.69  
Accrued Interest: \$41.85  
Other Fees: \$502.45  
Late Fees: \$0.00  
Payoff: \$14,624.99

**WISCONSIN RESIDENTS:** This collection agency is licensed by the Division of Banking in the Wisconsin Department of Financial Institutions, [www.wdfi.org](http://www.wdfi.org).

- This account's current creditor is Bank of America, N.A

**\*Partial Payment, Suspense Account Balance, and Suspense Applied:** Any partial payments that you make are not applied to your account, but instead are held in a separate suspense account for a period of 60 days. If you pay the remaining balance of a periodic payment, the funds will then be applied as a periodic payment. If insufficient or no funds are received after 60 days, the suspense funds will be applied to your account in accordance with the terms of the applicable security instrument and promissory note. However, if the applicable contract permits RTR to apply such funds first to interest, RTR will waive such right for the partial payment (but not waive the accrued interest) and will apply the funds first to the outstanding principal balance and then to interest and fees.

**Review Your Transaction Activity (10/10/2021 to 11/09/2021)**

Date	Description	Charges	Payments
	No Account Activity Since Last Statement	N/A	N/A

**Summary of Amounts Past Due Before Bankruptcy Filing (Pre-Petition Arrearage)**

Paid Last Month: \$0.00  
 Total Paid During Bankruptcy: \$9,372.31  
 Current Balance: \$14,633.47

The amounts shown here were past due when you filed for bankruptcy. It may also include other allowed amounts on your mortgage loan. The Trustee is sending us the payments shown here. These are separate from your regular monthly mortgage payment. The current balance may change once POC is filed.

**Payment Information**

- **Check Processing** - When you provide a check as payment, you authorize us either to use the information from your check to make a one-time electronic fund transfer from your account or to process the payment as a check transaction. When we use information from your check to make an electronic funds transfer, funds may be withdrawn from your account as soon as the same day we receive your payment, and you will not receive your check back from your financial institution.
- **Automatic Payments** - If you are currently set up on ACH, your payment will be processed on your next scheduled date.

**Payment Options**

Pay Online: [www.payrtr.com](http://www.payrtr.com) Pay by phone: 1-888-741-1124 Pay by mail: Real Time Resolutions, Inc.  
 PO BOX 840923, DALLAS, TX 75284-0923

**Payoff Requests**

Please note that the "Total Amount Due" on the first page of this statement represents all amounts owed on the account as of the Payment Due Date. The "Total Amount Due" is not the amount needed to pay off the account in full, as it does not include amounts that may come due in the future under your loan documentation. For Payoff requests, please contact us by phone 1-888-741-1124, or by mail P.O. Box 36655, Dallas, TX 75235-1655.

**Servicemembers Civil Relief Act (SCRA):**

Eligible servicemembers and their spouses or civil partners may receive protections under the SCRA. To find out how to determine if you are eligible for protections under the SCRA and to receive instructions on how to invoke your rights, please contact 1-888-741-1124.



2 of 2